

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number: 09/647,265

Confirmation Number: 5375

Filing Date: November 9, 2000

First Named Inventor: Toby WALKER et al.

Group Art Unit: 2613

Examiner: Tung T. Vo

Attorney Docket Number: 09812.0526

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ii. ☐ Other _____
- b. ☐ **DO NOT ENTER** the amendment(s) previously filed on _____. An alternate submission is attached.
- c. ☒ Enclosed submission:
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$790.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Petition for extension of time for (Months) \$ _____
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$790.00 enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

02/07/2006 SZEWDIE1 00000051 09647265

01 FC:1801 790.00 OP

Adjustment date: 02/14/2006 CKHLOK
02/07/2006 SZEWDIE1 00000051 09647265
01 FC:1801 -790.00 OP

Signature of Applicant, Attorney, or Agent Required

Name: David W. Hill

ERNEST F. CHAPMAN
Reg No: 25,961

Reg. No.: 28,220

125,961

Signature:

Date: February 6, 2006

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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Repln. Ref: 02/14/2006 CKHLOK 0008001500
DAH:060916 Name/Number:09647265
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DAH:060916 Name/Number:09647265
FC: 9204 \$130.00 CR
Repln. Ref: 02/14/2006 CKHLOK 0008014100
DAH:060916 Name/Number:09647265
FC: 9204 \$790.00 CR



office petition

LM
DAC
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PATENT
Customer No. 22,852
Attorney Docket No. 09812.0526

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Toby WALKER et al.) Group Art Unit: 2613
)
Application No.: 09/647,265) Examiner: Tung T. Vo
)
Filed: November 9, 2000) Allowed: August 17, 2005
)
For: **Data Describing Method and**) Confirmation No.: 5375
Data Processor)

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR WITHDRAWAL OF PATENT FROM ISSUE

Pursuant to 37 C.F.R. § 1.313(c)(2), Applicant respectfully petitions the Commissioner to withdraw the application from issue for abandonment to permit consideration of an Information Disclosure Statement under § 1.97 in a Request for Continued Examination. The required fee of \$130.00, as specified in 37 C.F.R. § 1.17(h), is enclosed.

12/07/2006 SZEWDIE1 00000050 09647265

11 FC:1464 130.00 DP

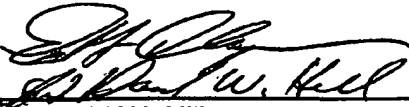
Adjustment date: 02/14/2006 CKHLOK
02/07/2006 SZEWDIE1 00000050 09647265
01 FC:1464 -130.00 DP

If any additional fees are necessitated in regard to the filing of this paper, please charge the cost to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 6, 2006

By: 
David W. Hill
Reg. No. 28,220

ERNEST F. CHAPMAN
Reg. No. 25,961

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND			
1 Date of Request: <u>2-17-06</u>		2 Serial/Patent # <u>091677265</u>	
3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
Filing			\$
Amendment			\$
Extension of Time			\$
Notice of Appeal/Appeal			\$
Petition		2-6-06	\$ 130
Issue			\$
Cert of Correction/Terminal Disc.			\$
Maintenance			\$
Assignment			\$
Other <u>RCE</u>		2-6-06	\$ 790
7 TOTAL AMOUNT OF REFUND			\$ 920
8 TO BE REFUNDED BY:			
10 REASON:		Treasury Check	
Overpayment		Credit Deposit A/C #:	
Duplicate Payment		9 <u>06--09116</u>	
No Fee Due (Explanation):			
Petition dismissed as moot.			
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME: <u>Karen Creas</u>		TITLE: <u>Act, Exam.</u>	
SIGNATURE: <u>Karen Creas</u>		PHONE: <u>2-7208</u>	
OFFICE: <u>DAC for patents</u>			
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APPROVED: <u>[Signature]</u>		DATE: <u>2/14/06</u>	

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